

AN ORDINANCE BY *CLAIR MULLER*

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT SIX MILLION DOLLARS (\$6,000,000) FROM UNITED WATER SERVICES UNLIMITED ATLANTA LLC AS SETTLEMENT OF CERTAIN FINANCIAL CLAIMS EXISTING PRIOR TO JANUARY 1, 2003 UNDER A TWENTY-YEAR OPERATIONS AND MAINTENANCE AGREEMENT OF WATER SYSTEM AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, (the "City"), United Water Services Unlimited Atlanta LLC ("UWSA"), United Water Resources Inc. ("UWR"), and Ondeo North America Inc. f/k/a Lyonnaise American Holding, Inc. ("Ondeo") entered into a Twenty-Year Operations and Maintenance agreement of Water System ("O&M Agreement") on December 24, 1998; and

WHEREAS, the City, UWSA, UWR and Ondeo now desire to dissolve amicably their relationship under the O&M Agreement and to effect an orderly transition of the operation and maintenance of the City's System ("System") pursuant to the terms and conditions of the Mutual Dissolution Agreement ("MDA") effective March 26, 2003 and executed by the Mayor of the City, the President of UWSA, the President of UWR and the Vice President and Controller of Ondeo; and

WHEREAS, Pursuant to the MDA, UWSA has remitted to the City \$6,000,000 for settlement of the Existing Claims;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA GEORGIA THAT:

Section 1: That the 2003 (Water and Sewer Revenue Fund) Budget be and is amended hereby as follows:

ADD TO ANTICIPATIONS

2J01	Water & Sewer Revenue Fund	
669101 B00001	Recovery of Erroneous Payments	<u>\$6,000,000.00</u>

ADD TO APPROPRIATIONS

2J01	Water and Sewer Revenue Fund	
791001 T11001	Reserve for Appropriations	<u>\$6,000,000.00</u>

Section 2: That all ordinances or parts of ordinances in conflict herewith be and are hereby repealed.